

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff-Respondent,

vs.

No. CIV 12-0815 JB/GBW

No. CR 00-1424 JB

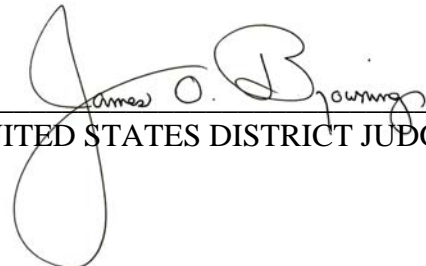
JOE COBOS,

Defendant-Petitioner.

**ORDER DENYING CERTIFICATE OF APPEALABILITY**

**THIS MATTER** comes before the Court on: (i) the Court's Final Judgment, filed July 31, 2012 (CIV Doc. 4, CR Doc. 625); and (ii) rule 11(a) of the Rules Governing Section 2255 Cases. The Court determines that Defendant-Petitioner Joe Cobos has failed to make a substantial showing that he has been denied a constitutional right. The Court will therefore deny a certificate of appealability. See United States v. Harper, 545 F.3d 1230, 1223 (10th Cir. 2008) ("[D]ismissal of an unauthorized § 2255 motion is a 'final order in a proceeding under section 2255' such that § 2253 requires petitioner to obtain a COA before he or she may appeal.").

**IT IS ORDERED** that no certificate of appealability shall issue.

  
UNITED STATES DISTRICT JUDGE

*Parties:*

Joe Cobos  
Safford, Arizona

*Plaintiff pro se*